

**DECLARATION IN SUPPORT OF SHAMOYITA DASGUPTA**

Pursuant to 28 U.S.C. §1746, I, LOUIS J. MEYER, declare as follows:

1. I am an attorney licensed to practice in the State of Illinois since 2006. I have been a member of the trial bar of the United States District Court for the Northern District of Illinois since 2007. I have been practicing law for 16 years.
2. I graduated with honors from the University of Iowa in 2001 and from DePaul College of Law in 2006. At DePaul, I received an honor in trial advocacy and was a Dean's Honor List Student.
3. Upon graduation from law school, I was hired by the Jackowiak Law Offices, where I was employed for approximately five years. At the Jackowiak Law Offices, I was able to gain significant courtroom experience. The Jackowiak Law Offices is a small boutique law firm that specializes in civil rights cases. I took (literally) hundreds of depositions and was involved in eight federal jury trials and three state court jury trials. In addition to my courtroom experience, my experience at the Jackowiak Law Offices included researching and writing appeals, participation in multiple national trial advocacy programs, and the supervision of less experienced attorneys and law clerks.
4. In 2011, I left the Jackowiak Law Offices and thereafter began my own civil rights practice. In addition to handling my own cases, I have consulted with multiple civil rights and/or criminal defense attorneys in order to assist them in the prosecution of their civil rights cases. In the past several years, I have specialized in civil rights' litigation and with assisting other civil rights attorneys at trial. Currently, I run my own law practice, MEYER & KISS, LLC, where our practice primarily focuses on civil rights cases.
5. As of the date of this declaration, I have handled over 300 civil rights cases in federal and state court, and represented hundreds of civil rights clients. I have worked on both sides of these cases, representing both Plaintiffs and Defendants. I have only represented one Defendant in the Central District of Illinois. My client was a polygraph examiner who was sued by a sexually violent person at the facility in Rushville, Illinois.

6. I also volunteer as a judge for College Mock Trial competitions, and I was the assistant coach for the Bradley University Mock Trial team from 2011 until 2014.

7. To date, I have tried 21 jury trials and numerous bench trials.

8. In 2014, I tried a civil rights case entitled *Lovi v. Arlington Heights, et. al.*, 13CV788 in the Northern District of Illinois. We received a plaintiff's verdict. During fee negotiations, I requested an hourly rate of \$400.00 an hour and the opposing counsel, Mark Flessner, did not object to my hourly rate. We were able to settle the attorneys' fee petition prior to filing a fee petition.

9. In September 2014, I tried a pro-bono civil rights case entitled *Lee v. Shepler, et. al.*, 11CV4064 in the Central District of Illinois. My client, an inmate in the Illinois Department of Corrections, was awarded \$125,000.00. In my fee petition, the Court noted that my normal hourly rate in the Central District is \$350.00, however because the case fell under the PLRA, I only received the maximum rate allowable.

10. In June 2012, I was retained by Ms. Hoeft to represent her in a malicious prosecution/unjust enrichment case pending in state court in McHenry County. *Hoeft v. LoRenn*, 12-LA-341. I charged Ms. Hoeft an hourly rate of \$350.00 an hour. I charged Ms. Hoeft only \$350.00 an hour to take into account the McHenry County market.

11. As part of my practice, I keep abreast of the attorneys' fees decisions in this Circuit, and also the hourly rates of my colleagues who practice in this area. I have observed many civil rights attorneys on trial and during other litigation and have partnered with many more on a case-by-case basis, which has allowed me to become familiar with the skills and experience of multiple civil rights attorneys in Chicago. Since 2012, I have been primarily practicing in the Central District of Illinois.

12. My billing rate was set \$400 an hour in 2019 by Magistrate Judge Jonathan E. Hawley in *Barn II, Inc. an Illinois Corporation, d/b/a Conklin Barn II Dinner Theatre v. West Bend Mutual Insurance Company*, Case Number: 17-CV-01184-JEH, Central District of Illinois. I believe this rate to be commensurate, and perhaps even lower, than other civil rights attorneys with my experience and skill.

13. My current hourly rate for 2022 is \$450 an hour. I will be seeking affirmation of that rate in my next fee petition, because I believe the increase from \$400.00 an hour in 2019 to \$450.00 an hour in 2022 is consistent with the market trends and accounts for the additional experience and years practicing law.

14. I have known Ms. DasGupta since 2018. I am familiar with her work and have worked with her on the case of *Eric Ollison v. Wexford Health Sources, LLC*, et. al. 17-CV-1077-JES-JEH in the Central District of Illinois. The *Ollison* case has been heavily litigated with over 500 Court filings and involves some complex and novel legal issues. I firmly believe Ms. DasGupta is an accomplished and competent civil rights attorney working in Chicago. I am also aware of the constitutional cases that she has taken to trial and obtained significant plaintiff's verdicts. I am also aware of her work in both Federal and State appellate courts. Because of my collaboration with and my personal knowledge of Ms. DasGupta's work, I would myself refer a case to her if I had a conflict or was otherwise unable to handle the case for some reason.

15. I find Ms. DasGupta's requested hourly rate of \$325.00 to be reasonable. Compared to the hourly rates charged by other civil rights attorneys in this community, I consider the requested rate in the middle of the spectrum for someone with Ms. DasGupta's extensive civil rights experience and her success. Civil rights attorneys serve an important function in our justice system and should be fairly compensated for doing so. Many of the cases litigated, especially cases where the plaintiffs' positions are not in line with mainstream public thought, make the chance for success much more difficult. Civil rights attorneys litigate against an opponent with virtually unlimited resources from which to draw to oppose us, and which often holds tightly to all the evidence we need to prosecute our claims. Our cases are often unnecessarily contentious, and our clients can often be difficult themselves. Ms. DasGupta takes her work seriously and her dedication to the sometimes forgotten few whose rights are often overlooked should not go unrewarded.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s Louis J. Meyer  
**MEYER & KISS, LLC**  
**311 W. Stratford Drive**  
**Peoria, Illinois 61614**